

**Hearing Date: May 27, 2020**  
**Hearing Time: 11:00 a.m.**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

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**In re:**

**Network Group, LLC,**

**Chapter 11**

**Debtor.**

**Case No. 19-47229 (NHL)**

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**NOTICE OF HEARING**

PLEASE TAKE NOTICE that upon the annexed Application, William K. Harrington, the United States Trustee for Region 2, will move this Court before the Honorable Nancy Hershey Lord, United States Bankruptcy Judge, at the Conrad B. Duberstein Courthouse, United States Bankruptcy Court for the Eastern District of New York, 271-C Cadman Plaza East, Brooklyn, New York 11201 on **May 27, 2020, at 11:00 a.m.**, for the approval of a Stipulation and Proposed Order (the “Stipulation”) Dismissing the chapter 11 case of Network Group, LLC (the “Debtor”). The Application and the Stipulation are on file with the Clerk of the Bankruptcy Court and can also be obtained from the Office of the United States Trustee, at 201 Varick Street, Suite 1006, New York, New York 10014, attention: Nazar Khodorovsky, Esq.

PLEASE TAKE FURTHER NOTICE that any responsive papers should be filed with the Court and personally served on the United States Trustee, at the U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014, to the attention of Nazar Khodorovsky, Esq., no later than seven (7) days prior to the return date set forth above.

Such papers shall conform to the Federal Rules of Bankruptcy Procedure and identify the party on whose behalf the papers are submitted, the nature of the response, and the basis for such response.

Dated: West Orange, New Jersey  
April 21, 2020

WILLIAM K. HARRINGTON  
UNITED STATES TRUSTEE, REGION 2

**By:** /s/ Nazar Khodorovsky  
Nazar Khodorovsky  
Trial Attorney  
201 Varick Street, Suite 1006  
New York, New York 10014  
Tel. No. (212) 510-0500  
Fax No. (212) 668-2255

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re

Network Group, LLC,

Debtor.

Chapter 11

Case No. 19-47229 (NHL)

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**MOTION OF THE UNITED STATES TRUSTEE FOR APPROVAL OF  
STIPULATION AND PROPOSED ORDER DISMISSING DEBTOR'S  
CHAPTER 11 CASE**

TO: THE HONORABLE NANCY HERSHEY LORD,  
UNITED STATES BANKRUPTCY JUDGE:

The United States Trustee for Region 2 (the “United States Trustee”) hereby moves this Court for the approval of the Stipulation and Proposed Order (the “Stipulation”) dismissing the chapter 11 bankruptcy case of Network Group, LLC (the “Debtor”), annexed hereto as Exhibit A. In support of this motion, the United States Trustee represents and alleges as follows:

1. On December 2, 2019 (the “Filing Date”), the Debtor commenced this bankruptcy case by filing a voluntary chapter 11 petition. See ECF Doc. No. 1.
2. The United States Trustee has been unable to appoint an official committee of unsecured creditors in the Debtor’s case.
3. Throughout the pendency of this case, the Debtor was represented by Morrison Tenenbaum PLLC (“Counsel”).
4. On or about March 2, 2020, Counsel informed the United States Trustee that the Debtor was interested in the dismissal of its case.

5. On March 19, 2020 both the Debtor’s managing member and Counsel executed the Stipulation, providing for the dismissal of the Debtor’s case under 11 U.S.C. § 1112(b), thus resolving all issues concerning the dismissal of the Debtor’s case pursuant to 11 U.S.C. § 1112. See Ex. A.

6. In the Stipulation, the Debtor admits that it “does not believe that it will be able to confirm a plan of reorganization” in this chapter 11 case. Id.

7. The Debtor’s inability to confirm a chapter 11 plan of reorganization provides cause for the dismissal of this case. See In re Milasinovich, No. 11-13-12294 TA, 2014 Bankr. LEXIS 1578, at \*6-7 (Bankr. D.N.M. Apr. 11, 2014) (holding that a chapter 11 case may be dismissed due to lack of a reasonable prospect of confirming a plan of reorganization).

8. The Debtor’s failure to file with the Court its monthly operating reports for the months of December 2019, January 2020, February 2020, and March 2020 provides further cause for the dismissal of this case. See 11 U.S.C. § 1112(b)(4)(F).

9. The United States Trustee will serve notice of the motion to approve the Stipulation on the Debtor, Counsel, counsel for all the parties who filed notices of

appearance in this matter, and the Debtor's creditors.

WHEREFORE, the United States Trustee requests the Court's approval of the Stipulation and the dismissal of the Debtor's case.

Dated: West Orange, New Jersey  
April 21, 2020

WILLIAM K. HARRINGTON  
UNITED STATES TRUSTEE, REGION 2

By: /s/ Nazar Khodorovsky  
Nazar Khodorovsky  
Trial Attorney  
201 Varick Street, Suite 1006  
New York, New York 10014  
Tel. No. (212) 510-0500  
Fax. No. (212) 668-2255

**EXHIBIT A**

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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Chapter 11

In re

Case No. 19-47229 (NHL)

Network Group, LLC,

Debtor.

-----X

**STIPULATION AND ORDER DISMISSING CHAPTER 11 CASE**

WHEREAS, on December 2, 2019 (the “Filing Date”), Network Group, LLC (the “Debtor”) commenced this bankruptcy case by filing a voluntary petition under chapter 11 of the Bankruptcy Code; and

WHEREAS, the United States Trustee was not able to appoint an official committee of unsecured creditors in the Debtor’s case; and

WHEREAS, the Debtor has, to date, not filed its monthly operating reports for the months of December 2019 and January 2020; and

WHEREAS, the Debtor does not believe that it will be able to confirm a plan of reorganization in its chapter 11 case; and

WHEREAS, the Debtor desires to dismiss this case.

**IT IS HEREBY STIPULATED AND AGREED**, by and between the Debtor and the United States Trustee, that this case commenced under chapter 11 of the Bankruptcy Code be, and hereby is, dismissed, pursuant to 11 U.S.C. § 1112(b), and it is further

**ORDERED**, that the Debtor pay to the United States Trustee the appropriate sum required, if any, pursuant to 28 U.S.C. § 1930, and any applicable interest pursuant to 31 U.S.C. § 3717, within ten (10) days of the entry of this order and simultaneously provide to the United States Trustee an appropriate affidavit indicating the cash disbursements, if any, for the relevant period.

Dated: New York, New York  
March 19, 2020

Network Group, LLC, Debtor

By: /s/ Lawrence Morrison  
Lawrence Morrison, Esq.  
Attorney for the Debtor  
Morrison Tenenbaum PLLC  
87 Walker Street, Floor 2  
New York, New York 10013  
Tel. No. (212) 620-0938

Dated: Brooklyn, New York  
March 19, 2020

Network Group, LLC, Debtor

By: /s/ Frank Bistran  
Frank Bistran, Managing Member

Dated: West Orange, New Jersey  
March 20, 2020

WILLIAM K. HARRINGTON  
UNITED STATES TRUSTEE, REGION 2

By: /s/ Nazar Khodorovsky  
Nazar Khodorovsky  
Trial Attorney  
201 Varick Street, Suite 1006  
New York, New York 10014  
Tel. No. (212) 510-0500  
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